GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:2905
ANSWERED ON:20.03.2017
Reforms in Child Labour Laws
Antony Shri Anto ;Patil Shri Sanjay(Kaka) Ramchandra

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)the aims and salient features of the conventions No. 138 and No. 182 of the International Labour Organization;
(b)whether the policies of the Government have been unsuccessful in
checking child labour and the laws enacted for this purpose were not implemented properly in the country, if so, the details thereof along with the reaction of the Government thereto;
(c)whether the existing laws need to be amended to check child labour;
(d)if so, the reaction of the Government thereto along with the extant
policy formulated by the Government in this regard; and
(e)whether any coordination has been established between the concerned ministries and State Governments for the rehabilitation and education of children under the national child labour project and if so, the details thereof?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a): The International Labour Organisation (ILO) Convention No. 138 regarding minimum age for admission to employment stipulates that the minimum age at which children can start work should not be below the age of finishing compulsory schooling and in any case not less than 15 years, with an exception of 14 years for developing countries. Further, Convention No. 182 prohibits hazardous work which is likely to jeopardize physical, mental or moral health of persons below 18 years. It aims at elimination of the worst forms of Child Labour for person below 18 years.
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(b): Government is following a multi-pronged strategy for elimination of child labour. It comprises of statutory and legislative measures, rehabilitation and universal elementary education along with convergence with other schemes for socio economic development. The number of main workers in the age group of 5-14 years in the country is 43.53 lakh as per 2011 Census which shows a decline from 57.79 lakh as per 2001 Census.
(c) & (d): Government has amended the Child Labour (Prohibition & Regulation) Act, 1986 and enacted the Child Labour (Prohibition & Regulation) Amendment Act, 2016 which came into force w.e.f. 1.9.2016. The amended Act inter-alia provides for complete prohibition on employment or work of children below 14 years of age in any occupation or process. The amendment also prohibits employment of adolescents (14-18 years) in hazardous occupations and processes. The punishment for violation of provisions of the Act has been made stricter and the offence of employing any child or adolescent in contravention of the Act by an employer has been made cognizable.
(e): Yes, the benefits under Serva Siksha Abhiyan (SSA), Mid-day Meal, School Health Programme of NRHM implemented by various Ministries are extended to the beneficiary children under NCLP Scheme. The revised guidelines of NCLP, effective from 01.04.2016, provide for constitution of State Level Monitoring Committee (SLMC) and active involvement of State Labour Department for effective implementation of NCLP Scheme and convergence of various development programmes.

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